

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(NORFOLK DIVISION)**

SHOPNTOWN, LLC

Plaintiff,

v.

LANDMARK MEDIA ENTERPRISES, LLC

Defendant.

**Civil Action No.
2:08-cv-00564-RAJ-JEB**

DECLARATION OF STUART A. SCHANBACHER

I hereby declare as follows:

1. I am an attorney with the law firm of Woodcock Washburn LLP, and am counsel to Landmark Media Enterprises, LLC ("Landmark"). I am licensed to practice law in the State of Pennsylvania, and have been admitted by this Court in this action *pro hac vice*. This Declaration is made in support of a Memorandum in Support of Landmark's Omnibus Motion for Summary Judgment. I have personal knowledge of the statements herein and could competently testify thereto.
2. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent No. 6,968,513 ("the 513 patent").
3. Attached hereto as Exhibit 2 is a true and correct copy of the Declaration of Tomas L. Gonzales, dated August 6, 2009.
4. Attached hereto as Exhibit 3 are true and correct copies of pages from the Transcript of Tomas Gonzales Deposition, dated July 22, 2009.
5. Attached hereto as Exhibit 4 is a true and correct copy of the Declaration of Robert S. Summers, dated August 6, 2009.
6. Attached hereto as Exhibit 5 are true and correct copies of pages from the Transcript of Robert Scott Summers Deposition, dated July 27, 2009, as well as pages from the Transcript of Robert Scott Summers 30(b)(6) Deposition, dated July 27, 2009.

7. Attached hereto as Exhibit 6 is a true and correct copy of the Declaration of Allen J. McGrath, dated August 6, 2009.
8. Attached hereto as Exhibit 7 are true and correct copies of pages from the Transcript of Allen J. McGrath, III Deposition, dated July 17, 2009.
9. Attached hereto as Exhibit 8 is a true and correct copy of the Declaration of Michael W. Alston dated, August 5, 2009.
10. Attached hereto as Exhibit 9 are true and correct copies of pages from the Transcript of Michael Alston Deposition, dated July 16, 2009.
11. Attached hereto as Exhibit 10 is a true and correct copy of U.S. Patent No. 5,832,497 ("Taylor").
12. Attached hereto as Exhibit 11 is a true and correct copy of U.S. Patent No. 5,852,810 ("Sotiroff").
13. Attached hereto as Exhibit 12 are true and correct copies of pages from ShopNTown LLC's Objections and Responses to Landmark Media Enterprises, LLC's Second Set of Interrogatories Nos. 10-12, dated July 23, 2009.
14. Attached hereto as Exhibit 13 are true and correct copies of pages from the Transcript of Proceedings (Markman Hearing), dated July 13, 2009.
15. Attached hereto as Exhibit 14 is a true and correct copy of an email from Lynn B. Morreale to Benjamin M. Stern and Jeremy Occek, dated June 2, 2009.
16. Attached hereto as Exhibit 15 are true and correct copies of documents produced in this case bearing the production numbers INTARCHIVE0000092, 93, 98, 99, 103-106, 116, 117 and 723-725.
17. Attached hereto as Exhibit 16 is a true and correct copy of a web page from The Internet Archive bearing the URL <http://www.archive.org/about/about.php>.
18. Attached hereto as Exhibit 17 are true and correct copies of affidavits from The Internet Archive, dated July 13, 2009 and July 30, 2009.
19. Attached hereto as Exhibit 18 are true and correct copies of documents produced in this case bearing the production numbers INTARCHIVE0000618-619.
20. Attached hereto as Exhibit 19 are true and correct copies of documents produced in this case bearing the production numbers INTARCHIVE0000339-340.
21. Attached hereto as Exhibit 20 are true and correct copies of pages from Landmark's Further Objections and Responses to Plaintiff ShopNTown's First Set of Interrogatories to Defendant Landmark Media Enterprises, LLC, dated April 15, 2009.

22. Attached hereto as Exhibit 21 are true and correct copies of pages from the Transcript of Terrence Slattery 30(b)(6) Deposition, dated July 21, 2009.
23. Attached hereto as Exhibit 22 is a true and correct copy of U.S. Provisional Patent Application 60/124,966.
24. Attached hereto as Exhibit 23 are true and correct copies of pages from the Expert Report of Dr. Earl Sacerdoti, dated July 30, 2009.
25. Attached hereto as Exhibit 24 are true and correct copies of pages from the Expert Report of John C. Jarosz, dated July 30, 2009.
26. Attached hereto as Exhibit 25 are true and correct copies of pages from ShopNTown's Reply Memorandum To Landmark's Memorandum In Support Of Its Proposed Construction For The "Means For" Elements Of Claim 21 Et Seq., D.I. 93, filed 7/29/09.

Executed on August 7, at Philadelphia, Pennsylvania.


Stuart A. Schanbacher

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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And is being hand delivered to:

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